

## Psychoanalysis Searches the States of Its Soul: The Impossible Beyond of a Sovereign Cruelty

(Address to the States General of Psychoanalysis)

First digression, in confidence. If I say right now, speaking in your direction but without identifiable addressee: "Yes, I am suffering cruelly," or again, "You are being *made* or *allowed* to suffer cruelly," or yet again, "You are making *her* or you are letting *him* suffer cruelly," or even, "I am *making* myself or *letting* myself suffer cruelly," well, these grammatical or semantic variations, these differences between *making* suffer, *letting* suffer, *letting* . . . *make* [*laisser* . . . *faire*], etc., these changes of person—there could be still others, in the singular or the plural, masculine or feminine, "one," "we, us," "you," "he" or "she," "they" masculine or feminine—these passages into more reflective forms ("I make *myself* or I let *myself* suffer cruelly," you make *yourself* or you let *yourself* suffer cruelly, and so forth), all these possible modifications leave an adverb intact, an invariant that seems, once and for all, to qualify a state of suffering, namely, cruelty, "cruelly."

In the course of these sentences, directed to all these addresses, impassive, "cruelly" does not change. *As if* we knew the meaning of this word. Putting our faith in this "as if," we act *as if* we understood *ourselves* and agreed with *one another* as to what "cruel" means. Whether the word *cruelty* is assigned to its Latin inheritance, that is, to a very necessary history of spilled blood (*crucor, crudus, crudelitas*), of some crime of blood, the ties of blood, or whether it is affiliated to other languages and other semantics (*Grausamkeit*, for example, is Freud's word) unrelated to the flow of blood, this time in order to name the desire to make or to make oneself suffer *just to* suffer; even to torture or kill; to kill oneself or torture oneself to torture or kill, *just to* take a psychic pleasure in evil for evil's sake,

or even *just to* find bliss in radical evil, in all these cases cruelty would be difficult to *determine* or *delimit*. Nietzsche, for example, sees there the cunning essence of life: cruelty would be without limit and without opposable term, thus endless and without contrary. But for Freud, who is nevertheless so close to Nietzsche, as always, cruelty might perhaps be without limit but not without opposable term, that is, endless but not without contrary—this will be one of our questions. One can staunch bloody cruelty (*crucor, crudus, crudelitas*), one can put an end to murder by blade, by the guillotine, in the classical or modern theaters of bloody war, but, according to Nietzsche or Freud, a psychic cruelty will always take its place by inventing new resources. A psychic cruelty would still, of course, be a cruelty of the *psyche*, a state of the soul, thus still of the living, but a nonbloody cruelty.

Would such cruelty, if there is any and if it is properly psychical, be one of the horizons most proper to psychoanalysis? Would this horizon even be reserved to psychoanalysis, like the bottomless depth of what it alone would be given to *treat*, the ultimate ground on which one day its figure took shape? I will not exploit this reflection on psychical cruelty, that is, bloodless or not necessarily bloody cruelty, on the acute pleasure derived from the soul in pain, to recall a Jewish joke: the psychoanalyst who declared he chose this therapeutic discipline because he could not stand the sight of blood. I will not do this so as not to reopen the now canonical debate concerning a link between the potential universality of psychoanalysis and the history of Judeity or Judaism. Let us merely ask ourselves whether, yes or no, what is called "psychoanalysis" does not open up the only way that could allow us, if not to know, if not to think even, at least to interrogate what might be meant by this strange and familiar word "cruelty," the worst cruelty, suffering *just to* suffer; the making-suffer, the making- or letting-oneself suffer *just for*, if one can still say that, the pleasure of suffering. Even if, as I am inclined to believe, psychoanalysis alone did not yet give us to know it, think it, treat it, at least one could no longer anticipate doing so without psychoanalysis. Hypothesis on a hypothesis: if there is something irreducible in the life of the living being, in the soul, in the psyche (for I do not limit my remarks to that living being called man, and thus I leave suspended the immense and formidable question, an open question in my view, of animality in general, and of whether psychoanalysis is or is not, through and through, an anthropology), and if this irreducible thing in the life of the animate being is indeed

the possibility of cruelty (the drive, if you will, of evil for evil, of a suffering that would play at enjoying the suffering of a making-suffer or a making-oneself-suffer *for the pleasure of it*), then no other discourse—be it theological, metaphysical, genetic, physicalist, cognitivist, and so forth—could open itself up to this hypothesis. They would all be designed to reduce it, exclude it, deprive it of sense. The only discourse that can today claim the thing of psychical suffering as its own affair would indeed be what has been called, for about a century, psychoanalysis. Psychoanalysis would perhaps not be the only possible language or even the only possible treatment regarding this cruelty that has no contrary term and no end. But “psychoanalysis” would be the name of that which, without theological or other alibi, would be turned toward what is most *proper* to psychical cruelty. Psychoanalysis, for me, if I may be permitted yet another confidential remark, would be another name for the “without alibi.” The confession of a “without alibi.” If that were possible. In any case, it would be that without which one can no longer seriously envision something like psychical cruelty, thus a psychical specificity, and something like the mere self-relation of this cruelty, before any knowledge, before any theory and any practice, even before any therapeutic. Wherever a question of suffering *just to suffer*, of doing or letting one do evil *for evil*, wherever, in short, the question of radical evil or of an evil worse than radical evil would no longer be abandoned to religion or to metaphysics, no other discourse of knowledge stands ready to take an interest in something like cruelty—except what is called psychoanalysis, whose name, associated now with evil, would become in turn more indecipherable than ever, all the more so in that only a psychoanalytic revolution would be, in its very project, up to the task of taking account of the grammatical syntax, conjugations, reflexivities, and persons that I unfolded in order to begin: to enjoy making or letting suffer, making oneself or letting oneself suffer, oneself, the other as other, the other and others in oneself, me, you, he, she, you plural, we, they, and so forth. With your permission, I will spare us any example of this cruelty, even if it be, in these times of ours, the most unprecedented and most inventive, the unbearable and the unforgivable.

After this pensive digression, I will leave still suspended the last word of an ultimate question.

This question will not be: Is there some death drive (*Todestrieb*) that is, and Freud regularly associates them, a *cruel* drive of destruction or anni-

hilation? Or again: Is there also a cruelty inherent in the drive for power or for sovereign mastery (*Bemächtigungstrieb*) beyond or on this side of the principles—for example, the pleasure or reality principles? My question will be, rather and later: Is there, for thought, for psychoanalytic thought to come, another beyond, if I can say that, a beyond that would stand beyond these *possibles* that are still *both* the pleasure and reality principles *and* the death or sovereign mastery drives, which seem to be at work wherever cruelty is on the horizon? In other words, altogether other words, can one think this apparently impossible, but otherwise impossible thing, namely, a beyond the death drive or the drive for sovereign mastery, thus the beyond of a cruelty, a beyond that would have nothing to do with either drives or principles? And thus nothing to do either with all the rest of the Freudian discourse that orders itself around them, with its economy, its topography, its metapsychology, and especially with what Freud, as we will hear, also calls its “mythology” of the drives? He speaks, moreover, of his “mythology” of the drives while evoking right away the hypothesis of an equally “mythological” nature of the hardest, most positive scientific knowledge—Einsteinian theoretical physics, for example. As to this beyond of the beyond, is a decidable answer possible? What I will call the soul-searching states (*les états d'âme*) of psychoanalysis today, this is what perhaps bears witness in this regard, finally, to some existence of the undecidable. To an ordeal of the undecidable.

It is by naming the beyond of the beyond the pleasure principle, the beyond the death drive, the beyond the drive for sovereign mastery, thus the otherwise impossible, the other impossible or the impossible other, that I would like to salute the States General of Psychoanalysis.

For whoever might wish to salute with dignity some States General of Psychoanalysis, what kind of salvation can we be talking about? Is there a salvation for psychoanalysis?

Why give thanks to some States General of Psychoanalysis? And how to thank the psychoanalyst friends who, judging by all appearances, took this historic initiative?

I will try, later, to argue my salvation with reasons. But before I begin, assuming that I ever begin, I must, when all is said and done and in view of the business of the impossible that I just suspended, settle my choice on two common nouns. They have just struck a knock at the door, or struck period; we will answer them without yet being able to answer for them; they are the nouns “cruelty” and “sovereignty.”

In the time I've been so graciously given, I would like to privilege two forms, which are major forms in my view, of what *resists*. Still today and for a long time. Cruelty resists; sovereignty resists. The one and the other, the one *like* the other, pose a resistance to psychoanalysis, no doubt, but *just as* psychoanalysis also resists them, in the most equivocal sense of this word. Sovereignty and cruelty, very obscure things, resist differently, but they resist, one *like* the other, both without and within psychoanalysis proper. Between the inside and the outside of what is thus defined (in French, it takes the definite article: "*la psychanalyse*"), the border will bear all the weight, in particular, the historical, ethical, juridical, or political weight—and thus the very bearing of our questions.

*Cruelty, sovereignty, resistance*: I am not at all sure that I know, or even that it is known in general, what these words mean, despite their after all rather common use, in Freud and in psychoanalysis in general. Basically, in a nonequivocal manner, what do *cruelty, sovereignty, resistance* mean? What are they made to mean? And, especially, in what way can the thing defined as psychoanalysis give or even change the sense of this prior question? This is, in short, the concern that, as a sign of gratitude, I would like to share with you.

I will not have the time and the means to elaborate as one should here the hypotheses of the work that I would like to submit to you. Please accept, then, that, contrary to my custom, I outline at the outset, without detour or complication, without too many contortions, their somewhat spectral silhouette. I will not be content to rely on a concept of *resistance* that I worked out elsewhere, while formalizing in particular the heterogeneous uses that Freud proposes of it and attempting thereby to put them to work analyzing two forms of resistance in force, *both* resistance to psychoanalysis in the world *and* resistance to the world within psychoanalysis that also resists itself, that folds back on itself to resist itself, if I can say that, to inhibit itself, in a quasi-autimmune fashion. By attempting to take another step, I will be asking whether, *today*, here and now, the word and the concept of *resistance* remain still appropriate. Do they represent the most strategic, most economical lever for thinking what is going wrong, what is not going well in the world on the subject and in the vicinity of psychoanalysis, between it and it, if I can say that? What is going wrong? What is not going well? What is suffering and complaining? Who is suffering from what? What is the grievance of psychoanalysis? What registers of mourners has it opened? To be signed by

whom? What is not marching along at a steady pace in the prevalent styles of its discourse, its practice, its hypothetical or virtual community, its institutional inscriptions, its relations with what used to be called civil society and the state, in the upheaval of its sociology, and in a differentiated way in each country, in the mutation that affects the figure of patients and practitioners, in the transformation of the demand, of the scene, and what just yesterday was still called the "analytic situation"—whose precariousness and historical artificiality I remember having pointed out decades ago?

What is someone doing who says "it's going wrong" and especially "it's not going well," "it's suffering," "it's suffering" on the side of those who make of suffering, the cruelest suffering, their affair? The one who says "it's not going well" already announces a repairing, therapeutic, restorative, or redemptive concern. It is necessary to save, it is necessary to assure the salvation: that psychoanalysis be saved, let live or live on psychoanalysis. This salutary, sanitary, or immunitary concern triggers simultaneously a gesture of war: the militant would like to cure or save by routing, precisely, a resistance. I am not sure that this rescue project, this salvation or health plan, this profession of public safety is not also, in part, or even in secret, that of your States General, which is already pregnant, virtually, in the dark, with some shadow Committee of Public Safety.<sup>1</sup> As a result, I am not sure, at this point, that I am altogether one of you even if, in part, I remain proud to claim to be by sharing your worry.

I have already expressed some doubts about the homogeneous structure of this multiple concept of *resistance* (*Widerstand*) in Freud. I will do so differently today. No doubt the world, the process of worldwide-ization<sup>2</sup> of the world, as it goes along, with all its consequences—political, social, economic, juridical, techno-scientific, and so forth—resists psychoanalysis today. It does so in new ways that you are doubtless in the process of interrogating. It resists in an unequal fashion that is difficult to analyze. It opposes psychoanalysis not only with a model of positive science, or even positivistic, cognitivist, physicalistic, psycho-pharmacological, genetic science, but notably also sometimes the academicism of a spiritualist, religious, or flat-out philosophical hermeneutic, or even (because none of these are mutually exclusive) archaic institutions, concepts, and practices of the ethical, the juridical, and the political that seem to be still dominated by a certain logic, that is, by a certain onto-theological metaphysics of *sovereignty* (autonomy and omnipotence of the subject—indi-

vidual or state—freedom, egological will, conscious intentionality, or if you will, the ego, the ego ideal, and the superego, etc.). The first gesture of psychoanalysis will have been to explain this sovereignty, to give an account of its ineluctability while aiming to deconstruct its genealogy—which passes also by way of cruel murder. As for the physical, neuronal, or genetic sciences, Freud was the first not to reject, but to expect a lot from them—provided that one knows how to wait expectantly, precisely, and to articulate without confusing, without precipitously homogenizing, without crushing the different agencies, structures, and laws, while respecting the relays, the delays, and, do I dare say, the deferred of difference. In fact, both in the world and in the analytic communities, these positivist or spiritualist models, these metaphysical axioms of ethics, law, and politics, have not even had their surfaces scratched, much less been “deconstructed” by the psychoanalytic revolution. They will resist it for a long time yet; in truth, they are made to resist it. And one may, in fact, call this a fundamental “resistance.” When faced with this resistance, psychoanalysis, no doubt, in the statutory forms of its community, in the greatest authority of its discourse, in its most visible institutions, resists *doubtly* what remains archaic in this worldwide-ization. It doesn't like what it sees, but it doesn't tackle it, doesn't analyze it. And this resistance is also a self-resistance. There is something wrong, in any case an autoimmune function in psychoanalysis as everywhere else, a rejection of self, a resistance to self, to its own principality, its own principle of protection.

As I see it, psychoanalysis has not yet undertaken and thus still less succeeded in thinking, penetrating, and changing the axioms of the ethical, the juridical, and the political, notably in those seismic places where the theological phantasm of sovereignty quakes and where the most traumatic, let us say in a still confused manner the most cruel events of our day are being produced. This quaking of the human earth gives rise to a new scene, which since the Second World War has been structured by unprecedented juridical performatives (and all the “mythologies” that Freud speaks of, in particular the psychoanalytic mythology of the drives, are tied to conventional fictions, that is, to the authorized authority of performative acts), such as the new Declaration of Human Rights—the rights not just of man, as we say in French, but of woman as well—the condemnation of genocide, the concept of crime against humanity (imprescriptible in France), the creation under way of new international penal authorities, not to mention the growing struggle

against the vestiges of forms of punishment called “cruel,” which remain the best emblem of the sovereign power of the state over the life and death of the citizen, namely, besides war, the death penalty, which is massively enforced in China, in the United States, and in a number of Arab Muslim countries. It is especially here that the concept of cruelty, this obscure and enigmatic concept, this site of obscurantism both within and without psychoanalysis, calls for indispensable analyses, to which we will have to return.

These are all things about which, if I am not mistaken, psychoanalysis as such, in its statutory and authorized discourse, or even in the quasi totality of its productions, has so far said next to nothing, has had next to nothing original to say. In the very place where one expects the most specific response from psychoanalysis—in truth, the only appropriate response. I mean once again: *without alibi*. All this produces a mutation that I venture to call revolutionary, in particular, a mutation on the subject of the subject and of the citizen subject, that is, the relations among democracy, citizenship, and noncitizenship, in other words, the state and the beyond of the state. If psychoanalysis does not take this mutation into account, if it does not engage with it, if it does not transform itself at this rhythm, it will itself be, as it already is in large measure, deported, overwhelmed, left on the side of the road, exposed to all the drifts of the currents, to all appropriations, to all abductions, or else, inversely, it will remain rooted in the conditions of a period that saw its birth, still aphasic in the Central European cradle of its birth: a certain equivocal aftermath of a French Revolution, whose event, it seems to me, psychoanalysis has not yet thought through. In particular as regards that which, in the said French Revolution and its legacy, will have concerned the obscure concepts of sovereignty and cruelty.

That it is not alone, far from it, in not having thought through this Revolution and its aftermaths, is paltry consolation, especially for those who, like myself, believe that psychoanalysis, having announced as much at its birth, should have something indispensable and essential not just to say but also to do on this subject. Without alibi. The decisive thing that there would be to say and to do on this subject should register the shock wave of one or more psychoanalytic revolutions. Notably on the subject of what is called, therefore, sovereignty and cruelty. But if the *mondialization* (worldwide-ization) of the world that we are told is under way resists psychoanalysis in multiple ways, not authorizing it to touch that

world's fundamental axioms of ethics, law, and politics, if, inversely, psychoanalysis resists in multiple ways and in an autoimmune fashion, thus failing to think through and to change these axioms, is not then this concept of *resistance*, even where it is as stratified and complicated as I tried to show, just as problematic as those of sovereignty and cruelty? Even in its enigmatic multiplicity (I counted 5 + or - 1 concepts or places of "resistance," according to Freud), does not this concept of resistance still imply border lines, front lines, or theaters of war whose model is precisely what is becoming outdated today? If there is still war, and for a long time yet, or in any case war's cruelty, warlike, torturing, massively or subtly cruel aggression, it is no longer certain that the figure of war, and especially the difference between individual wars, civil wars, and national wars, still corresponds to concepts whose rigor is assured. A new discourse on war is necessary. We await today new "Thoughts for the Times on War and Death" (I am citing some titles of Freud: "Zeitgemässes über Krieg und Tod," 1915) and a new "Why War?" ("Warum Krieg?" 1932), or at least new readings of texts of this sort. Thus, it is not certain that the concept of front, the figure of a front line or of an indivisible trench, of a beachhead, of a capital front indissociable from that of war, it is not certain that all this can furnish a model of something like a resistance—either internal or external. As much as the concepts of sovereignty or cruelty, it is perhaps the concept of resistance that awaits another revolution, its own, after the French Revolution of two hundred years ago and the political revolutions that followed, likewise after the psychoanalytic revolution and those that perhaps followed it. For there is always more than one revolution possible in the revolution. And what one might also call the technical or techno-scientific revolution (whether it touches on micro-electronics, tele-virtualization, or genetics) is never simply external to the others. For example, there is a dimension of tele-technical virtuality, of the tele-technical revolution of the *possible* that psychoanalysis, in its dominant axis, has failed—still fails, no doubt, and this is another resistance—to take rigorously into account, and that, moreover, will have played an essential role in the principle of convocation as in the implementation, the preparation, and the type of exchange of these very States General, in their space, their spacing, their becoming-time of worldwide space, in their horizontal networking, thus in their potential though limited dehierarchization over the networks of the World Wide Web. In a word, what is the revolutionary? And the postrevolutionary? And what is

world war and postwar for psychoanalysis today? These are perhaps other forms of the same question.

I was tempted at first, then for lack of time I had to resist the temptation to pursue very far the comparative analysis of the States General of 1789 and the States General of Psychoanalysis. Whence comes the Call? Who convokes whom? What is the supposed or dissimulated hierarchy here? Who has power and who is getting ready to take it? Who will be able to renounce it? How will what was then called the "verification of powers" have occurred, that is, the high-stake decision that triggered the revolutionary process? Although one must not allow oneself to push the analogy too far, which would put us adrift in historical delirium, there is some reason to imagine in the nation and in the psychoanalytic international today, and right here, the equivalent of a third estate (no doubt it is the majority and itself heterogeneous)—assuming it was able to pay the entrance fee—a clergy, a fraction of which allied itself with the third estate, whereas the majority of priests and psychoanalytic interpreters tend to vote with a nobility that counts among its ranks some dissidents, some prerrevolutionary subjects, or even some Lafayette determined to do something for the new United States. I leave you to answer these questions: Who here would represent the nobility? And the clergy? And the lower ecclesiastical orders? And the fraction of the clergy or of the prerrevolutionary nobility allied with the third estate? Who here represents the third estate of worldwide psychoanalysis, that is, in truth, of an essentially European psychoanalysis—if not in its territory and at its margins, at least in the roots of its culture, in particular its religious, juridical, and political culture?

Why would these questions be outdated? If I had not resisted the temptation, I would have privileged the moment of the register of grievances (*cahiers de doléances*) that preceded the States General. I would have pretended to divide the unity of this motif in two: *death* and *technics*.

If psychoanalysis is not dead, and no one can doubt that, it is mortal and it knows it, like the civilizations that Valéry spoke of. In any case, it seems to be in mourning although it doesn't know whether or not the mourning is its own. What is the grievance, in other words, the pain and sorrow, the suffering and grief, of which psychoanalysis, after a century of existence, finds cause to complain? What is the complaint of psychoanalysis today? What are you complaining about? Who are you complaining about? To whom? What or whom do psychoanalysts throughout

the whole world accept or refuse to mourn, to confess their work of mourning, their *grief* but also their *grievance*, their claim, their complaint, their demand? If, in a psychoanalysis that is a century old or young, a promise remains undelivered or, as we say in French, *en souffrance*, what is it in psychoanalysis that exudes death or the threat of death? A regicide in progress? A regicide that is merely imminent, a regicide to come? And what if the promise was a threat, which would be an intolerable ambiguity for speech act theory? One also wonders who would be the Father here, who the King. One's hand is caught in a hive of prior questions, which are like so many wasps that leave you no peace. No one knows any longer who is complaining to whom. There are only alibis. For the States General of political history, up until 1789, a constituted power was the entitled addressee of the grievance. Among you, on the contrary, this power is being sought, the addressee remains to be identified, and no one knows whether the protocols for its identification (the preliminary of the preliminary) ought already to be psychoanalytic or not. And if they are psychoanalytic, by which psychoanalytic filiation, by which "school," if you prefer, are they authorized to authorize themselves? The grievance may concern the presumed *inside* of psychoanalysis: the nonexistence or the dysfunction of a national or international community of psychoanalysts, the always problematic character of an institutionalization of this thing called psychoanalysis, the spectacular and undeniable dispersion of its places of knowledge and teaching, as well as its theoretical discourse, in their very axioms, their rhetoric, their language, their modes of exposition and legitimation, the radical absence of consensus on the subject of practical rules, of protocols of didactic training, and so forth, the radical absence of an ethical, juridical, political discourse, and in any case of a constitutional consensus on this subject, and so forth. One could extend this list; these are only indicative examples, and perhaps later I will privilege one or two of them. The grievance may also concern the presumed *outside* of psychoanalysis: relations with society or with the state, with the classical medical profession, nonrecognition or threatening appropriation by state authorities, apparent recession or unintelligible transformation of both the demand for psychoanalysis and the sociology of analysts, competition from pharmaco-psychiatric discourses that could delegitimize, even discredit or corrupt in public opinion the specificity of the psychoanalytic, development of a political ideology whose hegemony creates unfavorable conditions for psychoanalytic culture; inability of an out-of-

breath psychoanalysis, by reason first of all of its native culture—European, Gracco-Abrahamic, liberal-bourgeois, etc.—to measure up to all the processes of worldwide-ization under way. In both of these cases, grievances on the subject of a presumed inside or grievances on the subject of a presumed outside of psychoanalysis, whether it is a matter of foreign or domestic affairs, one has to wonder first of all (1) if this limit exists, and of what value it is, between the inside and the outside, what is proper and not proper to psychoanalysis, and then (2) who addresses the grievance to whom.

The vertiginous originality of your States General is that they have as a radical task, and in a quasi-autoanalytic manner, to institute their own addressee, or to institute themselves as first or ultimate addressees of their register of grievances. They have to invent the destination or address and the addressee of a grievance that is still a little mad. "Mad" would be the trajectory of a movement that, having as yet no *telos* or target, must produce its own destination. If one attempts to translate this question into an already psychoanalytic language, which seems to me the very least one should do, one will say that the movement of transference or counter-transference under way here has not yet taken place. It is seeking its place and its subjects. This great amphitheatre is *already* but is *not yet* an analytic site.<sup>3</sup> The threat of death I spoke of, whose mourning and grievance would be borne in advance, if I may say that, is perhaps in the process of invading the place left vacant for the transferential destination. It is perhaps a piece of good luck, this threat, the moment at which one begins to think, the Stranger would say, I mean the one who, in addressing you, basically does not belong to a presumed inside of the analytic community. Death and technics, I said. Is there a link between them? And does thinking death suppose that first one think technics? If I had the time, I would link, as I did in the past, this question of death to that of technics, in particular to a nondrivable, nonsecondary technics, of which the unprejudiced tele-technical apparatus of these States General would have served as my example, in a history that would go back further than the magic writing pad. But I leave off following this path as well, for lack of time. Beyond formal and statutory appearances, it is difficult to know who calls whom to the States General and who, at bottom, ever convokes them. I am speaking of all States General in general, well before these here, concerning which I would like to ask myself, along with you, in what way perhaps, over the course of this tradition to which they claim to

go back, they are nevertheless inaugural. It does not escape those who have the apparent power to launch this appeal that already they *are responding*, already they have heard a call, whose source and sense, whose *what* and *who*, the States General themselves would have to determine. If what is called psychoanalysis, what is called *to* psychoanalysis, has taught us at least one thing, that is to beware alleged spontaneity—beware autonomy and supposed freedom.

Still before beginning, I will start off again, now on another foot. To illuminate with a still feeble and partial light some of the places toward which I would like to go so as to cross the lexicons of cruelty, sovereignty, and resistance, I will read a few sentences exchanged between Einstein and Freud (in “Warum Krieg?”—whose first title, which Freud refused, was “Recht und Gewalt,” right and violence, right and authority, right and force of law). This exchange took place, as you know, in 1931–32—which is not just any date—when the Permanent Committee for Literature and the Arts of the League of Nations asked them to publish a correspondence on burning subjects of the period. We now know to analyze (and René Major had something to do with this) what Freud thought of the more or less legitimate father of the League of Nations, Woodrow Wilson. Freud doesn’t hold out much hope, as we know, for this proposal of a correspondence with Einstein; he laughs at it a little and confides to Ferenczi: “He [Einstein] knows as much about psychology as I do about physics, so we had a pleasant conversation.” A disillusioned remark, and a very unjust one as it turns out, as attested by the letter from Einstein, which anticipates almost everything Freud will say in response to him. Freud will even admit it himself. Freud’s skeptical allusion concerning the respective incompetence of the two great scientists says a lot to us, here, about the front and frontier of forms of knowledge between *physis* and *psyche*, between the natural sciences and the science of the soul or of man, between, *on the one hand*, a theory of physics, a cosmic time and space, physical, physico-biological, physico-chemical, or pharmacological sciences, and, *on the other hand*, a psychoanalytic science. I will select from these two letters merely what we need to knot together, at least provisionally and for indicative reasons, the questions of sovereignty, cruelty, and resistance.

It is a matter, of course, of war and peace among nations. There is already the difficulty of defining the concept of war: notably the difference between a civil war and an international war. Einstein defines a final goal,

and I believe one would not have to change a single word of it today. Here is the fragment of an exchange that first took place in German and was simultaneously published in English:

As one immune from nationalist bias, I personally see a simple way of dealing with the superficial (i.e. administrative) aspect of the problem: the setting up, by international consent, of a legislative and judicial body to settle every conflict arising between nationals. Each nation would undertake to abide by the orders issued by this legislative body; to invoke its decision in every dispute; to accept its judgments unreservedly and to carry out every measure the tribunal deems necessary for the execution of its decrees.<sup>4</sup>

Einstein deduces from this what he calls his first *Feststellung*, his first “axiom,” as the Standard Edition translates, namely, that international security implies “unconditional surrender by every nation [*bedingungslosen Verzicht der Staaten*], in a certain measure, of its liberty of action [*liber Handlungsfreiheit*], that is to say, its sovereignty [*Souveränität*]” (200). Here again, in a remark that loses nothing of its pertinence today, Einstein notes that an international tribunal does not have at its command the necessary force to enforce its decisions and thus depends on “extrajudicial pressure [*lasserrechtlichen Einflüssen*]”. He sets out from what he calls a “fact [*Tatsache*]” that must be taken into account, namely, that force and right (*Macht und Recht*) go hand in hand. Juridical decisions approach the ideal of justice demanded by the human community only to the extent that this community has at its disposal a force of constraint able to command respect for its ideal. Kant had already said this better than anyone: no right without coercion. But alas, another fact, adds Einstein, is that today—and this is still true in the year 2000—we are far from having at our disposal a supranational organization that is competent to render verdicts whose authority is at once indisputable and enforceable. By recommending explicitly and without detour that every nation abandon unconditionally at least a part of its sovereignty, Einstein recognizes the finitude of human institutions and the “strong psychological factors [*mächtige psychologische Kräfte*]” that paralyze efforts toward this international justice. One might say a dive for power (*Machtbedürfnis*)—translated into English as “craving for power” and into French as “besoin de puissance politique”—characterizes the governing class of every nation. This class is spontaneously sovereignist; it opposes a restriction on the sovereign rights of the State. This drive for political

power yields to the activities and demands of another group whose aspirations are purely, Einstein charges, mercenary and economic. Despite the ingenuousness that Freud attributes to him as regards things of the psyche, Einstein advances at this point a hypothesis that anticipates the direction of what will be Freud's reply, namely, that of a cruelty drive (that is, basically a death drive), which, without being reduced to it, is coupled with the drive for power (*Bemächtigungstrieb*) that has such an original place in *Beyond the Pleasure Principle*. What could one do with an irreducible death drive and an invincible drive for power in a politics and a law that would be *progressive*, that is to say, confident, as during the Enlightenment, in some perfectibility? With great lucidity, Einstein notes further that the minority in power, in the nation-states, has control over education, the press, and the Church and that if populations respond with enthusiasm to this minority of men in power, at the point of sacrificing their lives for them, it is because, I quote, "man has within him a lust for hatred and destruction" (201). He even speaks several times of a "psychosis" of hatred and annihilation that would not be the sole prerogative of the uneducated masses but would even affect the intelligentsia. Intellectuals satisfy this drive or this desire in writing and on the "printed page." In concluding by asking Freud for his opinion, Einstein takes still further, and in a still more interesting manner, his evocation of an aggression drive. This is not at work only in international conflicts but even in civil wars and in the persecution of racial minorities. Einstein uses at this point a word that will be translated into English as "cruel," a word that will return in force in Freud's response: "But my insistence on what is the most typical, most cruel and extravagant form of conflict between man and man was deliberate, for here we have the best occasion of discovering ways and means to render all armed conflicts impossible."<sup>5</sup>

If the drive for power or the cruelty drive is irreducible, older, more ancient than the principles (the pleasure principle or the reality principle, which are basically the same, the same in difference, I would like to say), then no politics will be able to eradicate it. Politics can only domesticate it, differ and defer it, learn to negotiate, compromise *indirectly* but without illusion with it, and it is this *indirection*, this differing/deferring detour, this system of differential relays and delays that will dictate Freud's at once optimistic and pessimistic politics, which are courageously disabused, resolutely sobered up. And this at the very moment when the father of psychoanalysis declares nevertheless that he ought not to indulge

in an ethical evaluation of the drives. We will hear his answer in a moment, and will see the discreet but essential role played there on two occasions by the word "indirect."

Interrupting myself at this point, having hardly begun, I would like, I said, to salute the States General of Psychoanalysis.

Why give thanks to some States General of Psychoanalysis? And how to thank the psychoanalyst friends who, to judge by all appearances, took this historic initiative? How should one address a sign of gratitude to all those who right away heard and understood them, throughout the world, and resolved to make the best of such an event, however unpredictable it still remains and however enigmatic its scene? It is at once an unusual and familiar scene, but *unheimlich*, uncanny far beyond its *mise en scène*. Familiarly unusual, intimately strange because, *on the one hand*, nothing is more familiar to psychoanalysis, apparently, than a scene conforming to the usual imagery of States General: enfranchisement of a regained spontaneity, liberated language, the right to speech finally restored, prohibition lifted, resistance overcome, etc. One would venture to say that what should take place in a certain way at every analytic session is a sort of micro-revolution, preceded by some music from the States General chamber group, lending their voices to all the agencies and all the states of the social body or the psychic body. This should start up again each time that a patient lies down on the couch or, as happens more and more today, underracks a face-to-face analysis. The analysts would then be initiating a revolution, perhaps the first revolution that matters: he would be opening virtually *his* States General and giving the right to speech within him to all the states, all the voices, all the agencies of the psychic body as multiple social body. Without alibi. After registering all the grievances, griefs, and complaints. In this sense, and by right, a psychoanalysis should be, through and through, a revolutionary process, the first revolution, perhaps, preceded by some States General.

However, without even recalling Freud's lack of sympathy for French revolutions,<sup>6</sup> we may say that nothing, *on the other hand*, has been more foreign to psychoanalysis, up until now, more disturbing for it, than the public space of these States General here, than this decor, these protocols, the duration and the technical apparatus that, for almost three years, have been setting the conditions for your meeting. Another, still invisible scene, therefore, continues to escape you. The signs you've received from this hidden scene remain indecipherable behind a whole staging [*mise en*

*scène]* organized in view of deliberations in common, authorized by decisions and performative declarations of the organizers or even the participants. Now what happens, comes about, comes to pass, or, as we say in French, *ce qui arrive*, the event of the other as *arrivant* (the one who or which arrives), is the impossible that exceeds and puts to rout, sometimes cruelly, that which the economy of a performative act is supposed to produce in a sovereign manner, when an already legitimated speech takes advantage of some convention. If things happen [*arrivent*], if there are those of us and those others who arrive, the others especially, the *arrivants*, it is always as the impossible beyond of all the instituting utterances, beyond all convention, beyond mastery, beyond the “I can,” “I may,” beyond the economy of appropriation of a “that is in my power,” an “it is possible for me,” the “this power belongs to me,” the “this possible is conferred on me,” all of which presumptions are always implied by performative acts. If at least others arrive, from close by or far away, from the family or from the most distant strangeness, they do it, like everything that happens, like every event worthy of the name, like everything that is coming, in the form of the impossible, beyond all convention and all scenic control, all pleasure or reality principle, beyond all drive for power and perhaps all death drive. It is a hospitality of visitation and not of invitation, when what arrives from the other exceeds the rules of hospitality and remains unpredictable for the hosts. I do not know whether, behind their statutory authorities and behind the official signatories of the Call and the convocation, behind the masters of ceremony, the historical States General up until 1789 ever had a veritable and sovereign stage director. What is certain is that no stage director has ever been able to foresee and program anything whatsoever beyond the first act opening the proceedings. And even that is doubtful.

This should not prevent us, on the contrary, from seeking to identify, through their representatives or their official bearers, the true forces that are at work in the organization of these States General. Is it necessary to recall that in principle these States General, the States General of *Psychoanalysis*, should have as constitutive mission, dare I say as an originary duty in some way, to carry out as far as possible the self-analysis of their staging but also the analysis of the forces, drives, desires that are secretly at work in them, beyond any staging, or even beyond any seeing, any visibility, any phenomenality?

We are well aware of the long-standing connection between psycho-

analysis and the stage, between psychoanalysis and the theater. Will it always be the same theatrical structure? Will it still be tomorrow, in the next millennium, the same model, the same apparatus, the same theatrical family? Will it be the theater of the same family, an always more or less royal family, rather patriarchal and heterosexual, installed in sexual difference as binary opposition? Will it be, from now on, a single-parent or tri-parent family, for example? Will the theatrical reference of psychoanalysis still tomorrow be Greek, Shakespearean, Elizabethan theater, that is to say simply, and assuming there has ever been another, European theater, in sum? What still links psychoanalysis to the history of Greek, Jewish, Christian Europe is not very well known. And if I add—or if I don't add—*Muslim* to fill out the list of Abrahamic monotheisms, I am already opening the gulf of an immense interrogation. Its dimensions are not merely demographic. Why does psychoanalysis never get a foothold in the vast territory of the Arabo-Islamic culture? Not to mention East Asia. More broadly, you are wondering why psychoanalysis remains, without advancing into it and without the Mosaic illusion of a promised land, on the external edge of the immense and growing majority of men and women who people the surface of an earth undergoing “globalization” or the becoming worldwide of the world. I will not name the Mosaic illusion of the promised land, even if only to say it is hopeless, without recalling briefly both the insistence of the specter of Moses right away in the opening acts of psychoanalysis and especially, decades before *Moses and Monotheism* appeared right before the Second World War, what Freud said one day to Jung in a letter from 1909. That was the very year Freud fainted before him, the year of the first trip to America, from which he brought back the “American colitis” that, still today, would call for an inexhaustible follow-up and an interminable treatment.<sup>7</sup> It was also soon after Jung had organized the First International Congress of Psychoanalysis (forty-two participants, a “historic event,” as good old Jones puts it).<sup>8</sup> Those years were, as you know, the years of an internationalization—altogether relative and very Eurocentric—of psychoanalysis. This internationalization has not yet become, as we know too well, a worldwide-ization. Freud names in this connection the promised land of psychiatry—yes, of psychiatry, and psychiatry, psychiatrization, is basically what allies itself with pharmaco-psychiatry and all the new therapies, either chemical or genetic, that today claim, in the world and especially in America, either to have freed themselves from Freudian psychoanalysis by rejecting it, by condemning it to death, or else to have come to

terms with it through unusual and always problematic transactions. Naming psychiatry and the future of relations between psychoanalysis and psychiatry, Freud then launches at Jung the well-known apostrophe: "If I am Moses, then you are Joshua and will take possession of the promised land of psychiatry, which I shall only be able to glimpse from afar."<sup>9</sup>

From afar. What distance, what distant places can be in question in Freud's mind? What are we to think of this today?

We know what follows in the case of Joshua Jung. As for what holds itself in reserve on the psychiatric side, as for the cruel destiny of a proper name, as for the name of a Moses of psychoanalysis, history remains open, and I am convinced that these revenants must haunt our debates.

There is no Stares General without theater. There has not been up until now any Stares General without that to which, in psychoanalysis, the private theater of the family is linked in an essential fashion, namely, the theater properly speaking, the one that requires a public space. In the insistent vision that I have had to acknowledge, these Stares General of psychoanalysis would nevertheless resemble an unprecedented scene, even a first theater of the cruelty that resists, in an autoimmune fashion, its own spectacle, its specular and spectacular temptation. What is titled, what is called, what has called itself Stares General of Psychoanalysis is that which would put a certain cruelty back on stage, so as to submit it to the hypothesis of a mutation. Which cruelty? The one that is exercised in the name of a sovereignty or the one that must suffer a sovereignty?

So I advance onto the stage of this new theater of cruelty, concerning which I will explain myself in my own rhythm, and it will be, I must ask your pardon, very slow. I would like to avoid alibis. (If ever I had a preference about the analytic session, well, you will find out what it is today at your expense, for you are going to suffer from it: it's that I would be resolutely, incorrigibly in favor of long sessions, very long. And despite the patience required, this is not the preference of a patient [man], quite the contrary.)

Without knowing—as regards the essential—without knowing anything, I advance. I have nothing simple or simply possible to tell you, and basically I know nothing. I don't even know how to admit that, to admit that not only do I know nothing, but I don't even know where to put myself, me and my nonknowledge, any more than I know what to do with my questions about knowledge and power, about the possible and the beyond of the possible. I don't know, to begin with, what, which title, or

who authorizes me—certainly not myself—to salute, as I have just done, while thanking them, something like the Stares General of Psychoanalysis. And yet, you understand me very well, I have been authorized to address you, for the moment. And if I managed, directly or indirectly, to respond *without alibi* to the question "why have I been authorized? by what and by whom, at bottom?" I would perhaps have made a few steps in the direction of the self-analysis that I was evoking a moment ago. My own, perhaps, which does not interest many people, barely myself, for example around the questions that made me choose to speak to you today about the death drive, as I have done too often, but especially about cruel suffering, and that cruelty that is found at the center of a seminar, the last one, that I thought I had to devote elsewhere, and this is not fortuitous, to the death penalty. But well beyond my own, which is not worthy of your attention, it is in the direction of the self-analysis of the Stares General of Psychoanalysis that I will take my chances more surely.

Imperative will always be the question of principle, the question of the principles, and the question of *the* principle—of the principal, of the sovereign prince, and of principedom. Freudian psychoanalysis—psychoanalysis as science, psychoanalysis that never abandons its aim to be a science, although a science apart from others—will have reckoned a lot with principles, as is well known. Like the distinction between primary and secondary processes, these principles have been treated scientifically, but as indispensable theoretical fictions, just as Freud speaks, in his answer to Einstein, of our "mythological theory of the drives," as if the "as if" were itself still supposed to resist the critique that Freud proposes of it in *The Future of an Illusion*, around Vaithinger's *Die Philosophie des Als Ob*. Freud often named and nicknamed these principles, for example, the pleasure principle or the reality principle, just as he nicknamed "mythologically" what sends them into crisis, beyond or on this side of the principles, namely, a certain death drive that, at the origin of all cruelty, can take the destructive form of sadism, of a ferocity that the narcissistic libido would have detached from the ego so as to train it on the object—unless it is that of a primary masochism, a hypothesis that Freud also retains.

What new forms of cruelty would a psychoanalyst of the year 2000 have to interpret at renewed expense, outside or within the institution? With regard to the political, the geo-political, the juridical, the ethical, are there consequences, or at least lessons to be drawn from the hypothesis of an irreducible death drive that seems inseparable from what is so ob-



on the contrary, or whether they were the ultimate attempt, the last desperate gathering of all the forces that were striving, but in vain, to prevent, along with the threatened paregicide, a cruel Terror. Were they going to decapitate the king or save his neck? Were they going to erect him by decapitating him or re-erect him, resuscitate him, beyond the year 2000? For who will seriously claim that our republic is not monarchical, and that modern democracy, in the form we know it, does without a monarchical principle and a founding reference to a prince, as to a principle of sovereignty? Were they going to re-erect the patriarcho-monarchical function in as interminable and infinite a way as that analysis said to be finite-infinite?

We will never know. By definition, we will never know whether the States General, at the moment of their first convocation, were destined to condemn or save the king's head, and it matters little, no doubt, because in any case the two gestures, condemning and saving, remain indissociable. They inscribe in the concepts of sovereignty and cruelty an ambiguity that is as unrelievable as autoimmunity itself. It is too late, even for the question. That is perhaps the ultimate signification of any paregicide, of any Oedipus, any totem-and-taboo, any republican or democratic installation of the equality of brothers after some paregicide: it is too late, no more alibi, the paregicide has taken place without taking place, whether it took place or not, before any question, before any question about it, about what preceded it and what might have turned out otherwise. Too late, which means that the Revolution put an end to the very possibility of this question. More precisely, this is what is called a revolution, and it is the sign by which one recognizes that the revolution has taken place. No doubt one could say the same thing about the event in general, about *what comes or who comes*, about the arriving [*arrivance*] of the *arrivant* who or which is always a revolution. The latter, the *who* and the *what* of what arrives, makes outdared in advance the question about it that always comes too late. It is too late, ineradicably too late for the question. I would say the same thing, *mutatis mutandis*, for the psychoanalytic revolution, which has already taken place and remains ineradicable. I will say the same thing for *all* figures and names of fathers that have presided over it while risking their head, losing *and* saving it at the same time, dying and surviving at the same stroke, like so many inexhaustible specters, occupying in turn or simultaneously not only 2 but 2 + n bodies of the king. Psychoanalysis is ineradicable, its revolution is irreversible—and yet it is, as a civilization, mortal.

No one, therefore, will ever be able to say whether the proper moment of the States General was in itself, in its original instance, *destined* to condemn or save the king's head. And whether even the king, by convoking these last States General, by turning the cruelty against himself, did not sign his death warrant with his own hand. Perhaps, like Freud when deciding that he would not take the presidency of the International Psychoanalytic Association, and thereby erecting himself (this was only a first example in the history of psychoanalysis) into an absolute master, all-powerful and powerless, powerless in his sovereign omnipotence, in advance decapitated and resuscitated. More than two centuries later, is a meeting of the States General of Psychoanalysis destined to save or condemn a King or a Father of the nation? Which king, which father, and of which nation? Is it already too late for this question? Are these States General destined, without knowing it, to consecrate the death of the Father or to save the head of the Father—or yet a third hypothesis, to begin to *think* what is at stake there? Or yet again, more confusedly, but this would be the price to pay for their originality: all three at once? And then, inevitable transposition, who would here be the menaced king or the suicidal king? What would be a paregicide, without even mentioning the Terror, in psychoanalysis?

There are a few of us here who have insisted on the fact that psychoanalysis, as science and if it would *also* be a theoretical science, a scientific institution and community, is the only one that involves in an intrinsic fashion the proper name of its founder, in a logic of transferential filiation that it claims to be able to analyze and whose concept it has produced. Will we say here that the name of Freud, the name of a still *Freudian* psychoanalysis, is, in this literal form or in more subtle metonymic forms, what is at stake in the autoimmune paregicide to be provoked, avoided, or thought? This question is not limited to this or that death of Freud. Survival, like some cruelty toward oneself, always consists in enduring more than one death, and already during one's lifetime, even if one of these deaths seems more significant than another, for example the one that Elisabeth Roudinesco calls the death of Freud in America. "Freud is dead in America," she says in her latest book.

I allude to America so as to indicate virtually what should be a more insistent return to what this country's name designates for us here, today, whether it is a matter of the so-called globalization or worldwide-ization under way, in which American hegemony is at once obvious and more

and more critical, I mean vulnerable, whether it is a matter of the Anglo-American language about to become, irresistibly, the only effectively universal language, whether it is a matter of the market in general, of teletechnics, of the principle of nation-state sovereignty, which the United States protects in an inflexible manner when it's a question of their own and limits when it's a question of others, of less powerful countries (see Arendt), whether it is a matter of the fate of Freudian psychoanalysis, more and more ostracized in the U.S., or again (and I take this to be one of the most significant signs), whether it is a matter of the convulsive crisis that this country is undergoing with regard to the death penalty. Here there would be too much to say about the past, recent, and present history of this problem, notably in the United States. Even while asserting too quickly that, so long as a coherent psychoanalytic discourse will not have treated (and to my knowledge it has not yet done so)<sup>10</sup> the problem of the death penalty and of sovereignty in general, of the sovereign power of the state over the life and death of citizens, this will make manifest a double resistance, both that of the world to psychoanalysis and that of psychoanalysis to itself as to the world, of psychoanalysis to psychoanalysis as being-in-the-world.

Of this immense and urgent problem of the death penalty, in its new phase, I can retain here only one signal. I choose it for reasons of the double motif of sovereignty and cruelty that I have decided to privilege. It is because the death penalty was deemed cruel, a "cruel and unusual punishment," that the U.S. Supreme Court judged it to be incompatible with two amendments to the American Constitution and its application was suspended in 1972. (One of these amendments forbids "cruel and unusual punishment.") Executions recommenced five years later, at the monstrous rhythm that everybody knows, when certain U.S. states determined, with the approval of the Supreme Court, that lethal injection is not "cruel," despite all the international conventions on human rights that likewise, in a great number of equivocal versions and without daring to violate the sovereignty of states, denounced but did not proscribe the death penalty as "cruel" torture. Throughout all this history that I have just evoked, from the American Constitution to modern international declarations, as in the discourse of common *doxa* for centuries, before and after Sade, it is the obscure word *cruelty* that concentrates all the equivocations. What does "cruel" mean? Do we have, did Freud have a rigorous concept of the cruelty that, like Nietzsche, he spoke of so much (as regards the death

drive, the aggression drive, or sadism, etc.)? Where does cruelty begin and end? Can an ethics, a legal code, a politics put an end to it? What would psychoanalysis have to tell us on this subject? I draw your attention in passing to the trait of an apparent coincidence, in truth to a fact that I believe is not fortuitous but would deserve long and patient analyses. Although as of this date there has never been a psychoanalytic discourse as such, a majority or statutory psychoanalytic discourse, and no discourse by Freud criticizing expressly both the death penalty and nation-state sovereignty, it so happens that, with the notable exception of the U.S.—the only Western-style democracy, with a dominant Christian culture, to maintain the death penalty and to remain inflexible about its own sovereignty—all the states of old Europe, birthplace of psychoanalysis, have *at the same time* abolished the death penalty and begun an ambiguous process that, without putting an end to nation-state sovereignty, exposes it in any case to an unprecedented crisis or puts it back in question.

Before interrogating Freud's response to Einstein, I wanted to refer to Elisabeth Roudinesco's last book and to what she says about America, even if she does not take up these themes (cruelty, sovereignty, death penalty, etc.). It is important not to dissimulate what these States General owe, as to their premises, to the work and trajectories of Elisabeth Roudinesco and René Major, which could not be more different but are here not fortuitously allied. Along with all those who, in an admirable show of collegiality without hierarchy, gave direction to the committees of the States General, each one with his or her history, trajectory, his or her own work, I do not name them out of friendship, expected politeness, the gratitude of one who is in their debt, or to obey, out of conventional complacency, some rite of hospitality. We here owe it not only to responsible honesty but also to analytic and political lucidity to analyze, to exhibit even, in so much different but intersecting work, in its location within and at the border of the worldwide analytic field, in the interpretations, engagements, political and theoretical alliances contracted long ago, what made it possible and necessary to hold this meeting of the States General. One would not understand the genesis of this unheard-of meeting, not even the name "States General," if, through a fiction, out of modesty or ignorance, one were to avoid taking into account, if only to contest it, everything that for a long time has been driving the research, publications, commitments of Major, of Roudinesco, and all the members of the two preparatory committees, the French one and the interna-

tional one. I am referring to what can be read *in* their books, *through* their books, in the ethico-politico-institutional positions they have taken, and the affinities and conflicts that determine them, within and without the psychoanalytic communities, in France and outside France. Many things could distinguish or separate the positions and the works of all those who took the initiative of these States General. But what should be analyzed as one of the symptoms, the secrets, the public secrets of the event I am talking about is their association here, their agreement, the network of national and international solidarities in which their work has come to inscribe itself and which supports this common cause. Not to give the necessary attention to this situation and these motivations on the pretext that, by rights, these States General would have spontaneously given themselves their own law, in an *auto-nomous* fashion, on the pretext that they would be autoconvoked and not hetero-convoked, would be, in my opinion, a political failing, a disavowal or even an analytic abdication. How an authentic *auto-nomy* (egalitarian and democratic) institutes itself, and *must* do so, on the basis of a *hetero-nomy* that still survives what survives it, on the basis of a law of the other, as coming of the sur-viving other, this is one of the forms of the question “What is to be done?” that I would like to take, without alibi, beyond all possible sovereignty and all possible cruelty. This question is not foreign to that of the paragicide.

I just said “public secret.” The tennis court oath was public. It committed those who took the oath not to leave the assembly until they had adopted a constitution. You are wondering then for which constitution, for which new charter you now bear the responsibility before you leave, for which new institutions, for which forms of transition and transmission, in which language, for which state or trans-state power.

Oh, oaths! The performative force of oaths and promises! Oh, sworn faith! Oh, perjures and perjurers! Oh, the fatal cruelty of perjurers! To seal the first institutional community of psychoanalysis, in a secret manner and independently of the public founding of the International Psychoanalytic Association, a short time after this founding, there was also some oath, some sworn faith and rings, more than two, seven, finally, with which to commit the Committee. Seven rings, each time a single time for all, each time a Greek intaglio—neither Egyptian nor Jewish—that came from Freud’s collection: a head of Jupiter! To save time, I gave up the idea of making this conference lecture turn in the circumference around the turn of this ring. Of *these* rings, rather, and of what became of

them, whether they were lost, bequeathed in legacy, or returned to their case. One must take seriously, in psychoanalysis and elsewhere, this question of secrecy, in its ethical and political implications, there where it *delimits* the very authority, power, and legitimacy of the political—not only of the political in general, of its right of inspection over the life and the death, the conscience, the exchanges (economic or not) of citizen subjects, but even of the political inside the analytic institution. The professional secrecy of psychoanalysis must not be, at least it claims not to be, like any other professional secrecy. I need not spell out, for you are better aware of them than I, the socio-economic-political consequences of this vocation to secrecy—whether or not it is respected. It is a matter once again of the relations between the state (*polis, politia, police* and politics) and you. And us. I insist on this episode of the Committee, which might appear anecdotal or inessential, because at the moment of the seven rings, Freud recognizes, to be sure, that there is “a boyish and perhaps a romantic element too in this conception,” but he demands that “the existence and action of this Committee” remain “*strictly secret*.”<sup>11</sup> One could say that in countless ways this secret was in itself constitutive and allegorically representative of that which, in psychoanalysis, remains and perhaps must remain at odds with the *res publica* of the political, or even of the democratic, I mean, in any event, of a democracy that is still founded, for some time yet, in a statist, nation-statist, sovereignist concept, and thus citizen of the political; but at odds also with the publicity of its own institutionalization, since the secret Committee remained external and inaccessible to the International Association. One may wonder what Freud would have thought of the worldwide States General of Psychoanalysis. In 1913, before the first worldwide war, all Freud’s principal disciples were Europeans. Along with that of the secret Committee, the scene of the IPA is essentially incompatible with an idea of the States General. This incompatibility can also be described as an allergy to its very other.

Behind the scene of the institution and the statutes, other powers, secret or not, are always at work. To return for a moment to the States General of 1789, beneath the statutory capacitation, that is, the official power of the king, beneath the two bodies of a king who was himself authorized by God the Father of Christ, one may always wonder who in truth convoked the States General. Just as one can wonder the same thing here today. Is it a matter of a hetero-convocation of some by the other? Or of a spontaneous auto-convocation of forces that as yet have no name? Or

of a hetero-convocation by the force of an as yet unnamable other, of unexpected visitors and unforeseen or unidentifiable *arrivants*? What about hierarchy and heteronomy in this affair? And what does the network of the Web de-hierarchize, affecting both the analytic scene and the scene of transference and counter-transference? This question would call for a series of others, the same and so many others: Who convokes whom to States General that are worldwide, this time, but still in France, and in Paris, in a postrevolutionary France? Who convokes them all the same beyond the nation-state? And States General of *Psychoanalysis*, more than two centuries later, but one century after the birth of psychoanalysis and the *Traumdeutung*, at a moment when one has the right to wonder if what is called psychoanalysis supposes in some way, inscribed at the heart of its own possibility, the memory, the conscious or unconscious archive of the French Revolution and a few other revolutions, all European, that followed it in February and then in June 1848, then during the Commune, then in 1917. An enormous, bottomless memory where the worst cruelty, the cruelty of a paragicide that still remains to be thought, the cruelty of the Terror, the cruelty of the death penalty on a massive scale, the cruelty of all the tortures and executions in the aftermath of the 1917 revolution, the still open list of the most relentless cruelties, *Shoah*, genocides, mass deportations, and so forth, go side by side indissociably, as if the two processes were inseparable, with the invention of human rights, the foundation of the grounds of modern international law undergoing transformation, from which derives the condemnation of crimes against humanity (impresscriptible in France since 1964), the condemnation of genocide, as well as the promise, beginning on 4 Brumaire of year IV,<sup>12</sup> made by the Convention, to abolish the death penalty in the French Republic, “effective on the day of the general peace proclamation.” This day of the abolition of the death penalty did not arrive in France until almost two centuries later, in 1981, which gives one a lot to think about the historical scale and what can be meant by “the general peace proclamation,” in Europe, in the European Union, the birthplace of psychoanalysis (where the death penalty is abolished) rather than in the United States, the last Western country of European and Christian filiation that maintains and massively applies, with a cruelty that is more and more obscene, unjust, and barbaric, a now nonbloody cruelty, “lethal injection.”

I am purposely piling up allusions to the United States, where the destiny of psychoanalysis is wagging its most critical and perhaps, on more

than one front, its most decisive battle. In the thorny, thick, dense underbrush of the dangerous liaisons between psychoanalysis and North America, I select a rarely cited passage from *The Future of an Illusion*. Freud is comparing the American people to the chosen people, to the one that believes it has been chosen by God the only father, out of the “paternal nucleus” that Freud recalls is “hidden behind every divine figure as its nucleus.” Every people returns to “the historical beginnings of the idea of God” when it claims to represent ideal justice, the justice that rewards good, punishes evil, at least after death (which facilitates and legitimizes the death penalty), adjoins the invisible part of the specter to the visible, and so forth. Freud then adds:

Now that God was a single person, man's relations to him could recover the intimacy and intensity of the child's relation to his father. But if one had done so much for one's father, one wanted to have a reward, or at least to be his only beloved child, his Chosen People. Very much later, pious America laid claim to being “God's own Country”; and, as regards one of the shapes in which men worship the deity, the claim is undoubtedly valid.<sup>13</sup>

One could find here, from one chosen people to another, from one Father to the other, the matrix of an effective deciphering of “globalization,” worldwide-ization, or what I call elsewhere the *mondialization*<sup>14</sup> of religion under way, of that which, actually or potentially, constitutes and threatens hegemonies there. I also refer too briefly and for all the reasons I've mentioned to at least two of the works by René Major that are essential in this regard: *De l'élection* (already in 1986) and *Au commencement—la vie la mort* (1999). I underscore in particular his analysis in the first chapter of *De l'élection*, “De la fondation,” of the madness of chosenness and of what, he says, “psychoanalysis does to politics.” In his chapter “Le recommencement,” Major comments at least twice on texts of 1914–15 in which Freud uses, and I emphasize, the word *cruelty*; he does this under conditions whose essential and organizing ambiguity, I believe, should be stressed. On the one hand, these conditions imply an ethics and a politics that correspond to a condemnation and thus tend toward the elimination of this cruelty, to be sure, but at the same time and on the other hand, given the originary and ineradicable origin of the death or aggressivity drive, as well as the drive for power and thus sovereignty, one can have no illusions about the eradication of evil. Whence a figure—and I would say a lesson—that is *at once* progressivist and pessimist, still faith-

ful *and* already unfaithful to a certain spirit of Enlightenment. Here are the passages that Major interrogates. I will later cite others that are analogous in the answer to Einstein and in the wake of *Beyond the Pleasure Principle*, which is the direct inspiration for the letter to Einstein. First quotation:

In a letter addressed to Frederik van Eeden a few months after the war began, Freud points out to his correspondent that “*cruelties* [my emphasis] and injustices which the most civilized nations commit, the different ways in which they judge their own lies and misdeeds in comparison with those of their enemies” show the degree to which psychoanalysis is right to infer from its observations that man’s most primitive impulses will never be abolished in each of us and that we are always ready to conduct ourselves in an underhanded or stupid manner at their least resurgence.<sup>15</sup>

It is next a matter, more precisely, of the indissociable tie between cruelty and state sovereignty, state violence, the state that, far from combating violence, monopolizes it. A few years later, this will be Benjamin’s theme in *Critique of Violence*, around which I elaborated a few propositions on law (or right) and justice in “Force of Law.” This monopoly on violence is of a piece with the motif of sovereignty. It is also what will always have grounded the death penalty, the right of the state, the right of the sovereign to punish by death. Following closely Freud’s “Thoughts for the Times on War and Death,” Major writes, and this will be my second quotation:

Two motives of disillusionment, prompted by the war of 1914, will be put forward. One is the lack of morality of states that, elsewhere, do not fail to hold themselves up as guarantors of moral values. Which leads one to think that in peacetime, the state does not prohibit violence in order to abolish it but in order to monopolize it and that in wartime, it shamelessly withdraws from treaties and conventions that tie it to other states while asking its citizens for their approval in the name of patriotism. The other motive is a consequence of the first. Where the community no longer poses any objection to the conduct of the state, subjects indulge in acts of *cruelty* [my emphasis] and perfidy, of betrayal and barbarity that are so incompatible with their degree of civilization that one would have thought them impossible.<sup>16</sup>

Why speak of the most *critical* and most decisive battle, which is being waged here today, on more than one front, for psychoanalysis, notably in

the United States? If there is one feature common to all the States General of history, it would be this one, which historians never fail to point out: the States General are always convoked at critical moments, when a political *crisis* calls for deliberation, first of all, a liberation of speech in view of an exceptional decision that should involve the future. One cannot therefore avoid the question: What is the crisis of worldwide psychoanalysis today? Or again, or rather, what is the crisis of worldwide-ization for psychoanalysis? What is its specific crisis? Is it merely, which I don’t believe, a *crisis*, a passing and surmountable crisis, a *Krisis* of psychoanalytic reason as reason, as European science or as European humanity (to do more than just parody Husserl’s title)? Is it thus a decidable difficulty calling for a decision, a *krinein* that would pass once again by way of a reactivation of the origins? One cannot entertain these questions unless one supposes knowledge of what is or what would be, today, specifically, in its irreducible singularity, psychoanalysis or psychoanalytic reason, the humanity of psychoanalytic man, or even the human right to psychoanalysis. On what criteria of recognition does it rely? And as for crisis, this knowledge would be the knowledge of what puts psychoanalysis in crisis, to be sure, but just as well of *what* the psychoanalytic revolution itself puts in crisis. The two things seem, moreover, as indissociable as two forces of resistance: resistance to psychoanalysis, autoimmune resistance of psychoanalysis to its outside and to itself. It is through its power to put in crisis that psychoanalysis is threatened and thus enters its own crisis. When he asks what is wrong with the *mondialisation* that began at least after the First World War and with certain projects of international law, with certain appeals to abandon sovereignty, to constitute the League of Nations, which was then a prefiguration of the United Nations in its very impotence to put an end to war and to the most cruel exterminations, well, it is still around the word “cruelty” and the sense of *cruelty* that Freud’s argumentation in “Why War?” becomes at once more political and, in its logic, more rigorously psychoanalytic. Nor that the sense of the word “cruelty” (*Grusamkeit*) is clear, but it plays an indispensable operative role, and that is why I make it bear all the weight of the question. Having recourse more than once to this word, Freud re-inscribes it in a psychoanalytic logic of destructive drives indissociable from the death drive. He alludes more than once to the “lust for aggression and destruction” (*Die Lust an der Aggression und Destruktion*), to the “countless cruelties in history” (*ungezählte Grusamkeiten der Geschichte*), to the

"atrocities of the past" (*Gräueltaten der Geschichte*), to the "cruelties of the Inquisition" (*Gräueltaten der hl. Inquisition*) (210). Making use once again, as in *Beyond . . .*, of the word "speculation," here associated with the word "mythology," he specifies that this death drive, which is always at work returning life to nonliving matter through disintegration, becomes a drive of destruction when it is turned, with the help of particular organs (and weapons can be prostheses), toward the outside, toward "objects."

Can this logic induce, if not found (and if so, how?), an ethics, a code of law, and a politics capable of measuring up, on the one hand, to this century's psychoanalytic revolution, and, on the other hand, to the events that constitute a cruel mutation of cruelty; a technical, scientific, juridical, economic, ethical and political, ethical and military, and terrorist and policing mutation of our age? What remains to be thought *more psychoanalytically* would thus be a mutation of cruelty itself—or at least new historical figures of an ageless cruelty, as old and no doubt older than man. The psychoanalytic revolution, if that's what it was, is just a century old. A very short time, a very long time. It would have been necessary to analyze closely Freud's response to Einstein and the motifs that articulate it with other of Freud's texts. Unable to do that here, I isolate the scheme of a singular strategy in the Freudian articulation. Notice I say *articulation*, which supposes link and dissociation: articulation between psychoanalysis on the one hand, ethics, law, economy, and politics on the other. It would be a matter of sketching the limits or the horizon (the horizon is a limit) as the background against which this originality stands out. These limits, it seems to me, have not yet been thought by and on the basis of what is called psychoanalysis.

Treating first of all the relation between right and power (*Recht und Macht*), Freud proposes deriving the one from the other on the basis of a genealogy that goes back to the small human horde, to the murder of the enemy that satisfies an inclination of the drive. The passage from violence to law happens through banding together in common, "l'union qui fait la force," as Freud puts it in French. Right becomes the power or the violence of the community that, by monopolizing force, protects itself against individual violence. Force against force, deferred economy of force: this is what makes right. In the course of analyzing this process, Freud comes around to remarking something that is still true today, namely that the League of Nations did not obtain the force belonging to

a new union because the separate states were not ready to renounce the sovereignty of their own power. There is thus as yet no true international law. Freud's remarks in passing about the history of panhellenism, the Christian states, or communism are very interesting, but I can retain only that which in the second part of his response, in what he calls his gloss on Einstein's remarks, signals, to be sure, a pacifist and progressive hope, the responsibility that must be taken in this direction but also the radical absence of illusion: Freud believes in the ineradicable existence of drives of hatred and destruction. Making very frequent use of the words "cruelty," "aggression drive," "hated drive," and "death drive," he denounces an illusion: that of an eradication of the cruelty drives and the drives for power and sovereignty. What *it is necessary* to cultivate (for it is necessary that an "it is necessary," and thus the tie of an ethical, juridical, political obligation, take shape) is a differential transaction, an economy of detour and difference, the strategy, one can even say the method (for it is a question here of path, path breaking, and road), of *indirect* progress: an indirect, always indirect way of combating the cruelty drive. The word "indirect" is articulated like the pivot of this progressivism without illusion. Freud thinks, like the Nietzsche of *Genealogy of Morals*, that cruelty has no contrary, that it is tied to the essence of life and the will to power. When I speak yet again, in the double wake of Nietzsche and Freud, of a cruelty that would have no contrary or that in any case would be irreducible, with the result that any contrary would have to compromise with it, I mean this: there are only differences in cruelty, differences in modality, quality, intensity, activity, or reactivity within a *same* cruelty. Freud writes for example (but one could proliferate the examples): "There is no use in trying to get rid of men's aggressive inclinations. . . . The Russian Communists, too, hope to be able to cause human aggressiveness to disappear by guaranteeing the satisfaction of all material needs and by establishing equality in other respects among all the members of the community. That, in my opinion, is an illusion [*Ich halte das für eine Illusion*]" (211–12).

After having explained why hatred does not disappear and why it cannot be a question of eradicating the drives of cruel aggression, Freud recommends a method, in fact a politics, of *indirect* diversion: one should see to it that the cruel drives are diverted, deferred, and do not find expression in war. He adds: "Our mythological theory of instincts makes it easy for us to find a formula for *indirect* methods of combating war [*indirekte*

*Wege zu Bekämpfung des Krieges*: the word *indirect* is italicized in the English version, which appeared simultaneously].”

Indirection, the ruse of the detour (*Umweg*), consists, to put it too succinctly (but this is not the essential thing that concerns me here), in bringing into play the antagonistic force of Eros, love and the love of life, against the death drive. There is thus a contrary to the cruelty drive, even if the latter knows no end. There is an opposable term, even if there is not a term that puts an end to the opposition. This *indirect* stragem of the antagonism between Thanatos and Eros operates in two ways, that is, by cultivating two sorts of ties, which are emotional ties. First, those that tie us to the loved one, the love object, even when there is no sexual aim. Psychoanalysis, Freud adds, has no cause to be embarrassed in speaking here of love, as religion does, with the same words—which he quotes, forgetting to mention that these are not the words of just any religion (“Love thy neighbor as thyself”). A thing that is easier to require than to carry out, he underscores with a smile. But this “as thyself” defines the second tie, the second type of ligature or obligation that comes to limit the outbreak and the breakdown of ties. Using once again the word “indirect” (*Die anderen Wege einer indirekten Verhinderung des Krieges*, “another suggestion for the indirect combating of the propensity to war,” 212), Freud proposes to take into account the ineradicable and innate inequality of men, which divides them into the two classes of chiefs, guides, leaders (*Führer*) and, far more numerous, the dependent masses who follow the leaders (*Abhängige*). It would thus be necessary to educate the upper layer of men with independent minds, who are capable of resisting intimidation and concerned about truth so that they give direction to the dependent masses. Of course, the state and the church tend to limit the production of such minds. The ideal, Freud then says, and he even speaks at this point of utopia, would be a community in which freedom consisted in submitting the life of the drives to a “dictatorship of reason” (*Diktatur der Vernunft*) (213). Freudian philosophy of culture, civilization, or history, in this rather perfunctory letter and elsewhere, always comes back to this motif: teleology of a progress by *indirect* displacement and restriction of the forces of the drives, thus of a cruelty that, indestructible in any event, produces war or murder and may lead, the word is Freud’s, to the “extermination” of the enemy. What are the most significant and problematic structuring features of this sobered-up progressivism and rationalism, of this new Enlightenment for our age?

1. First of all, this difficult concept of *indirection*, of a certain irreci-

tude, of an oblique, angular, or mediating nonstraightness. This concept, to which I think I must devote much attention without abusing Freud’s text, does not signify only detour, strategic ruse, *continuous* transaction with an inflexible force, for example, with the cruelty or sovereign-power drive. Even though Freud does not say it, certainly not in this way, this concept of the *indirect* seems to me to take into account, in the mediation of the detour, a radical discontinuity, a heterogeneity, a leap into the ethical (thus also into the juridical and political) that no psychoanalytic knowledge as such could propel or authorize. On the subject of the polarity love/hatred (which out of politeness toward Einstein he compares to the polarity attraction/repulsion), Freud says clearly in fact that, like the polarity preservation/cruel destruction, it must not be hastily submitted to ethical judgments evaluating “good and evil” (209). It is not for the psychoanalyst *as such* to evaluate or devaluate, to discredit cruelty or sovereignty from an ethical point of view. First of all, because he knows that there is no life without the competition between the forces of two antagonistic drives. Whether one is talking about the cruelty or the sovereignty drive, psychoanalytic knowledge as such has neither the means nor the right to condemn it. In this regard, it is and must remain, as knowledge, within the neutrality of the undecidable. Whence what I call the “*étras d’âme*,” that is, the hesitation, the confused mental state, or the soul-searching of psychoanalysis. To cross the line of decision, a leap that expels one outside psychoanalytic knowledge *as such* is necessary. In this hiatus, I would say, the chance or risk of responsible decision is opened up, beyond all knowledge concerning the possible. Is that to say that there is no relation between psychoanalysis and ethics, law, or politics? No, there is, there must be an *indirect* and *discontinuous* consequence: to be sure, psychoanalysis as such does not produce or procure any ethics, any law, any politics, but it belongs to responsibility, in these three domains, to take account of psychoanalytic knowledge. The task, which is immense and remains entirely to be done, both for psychoanalysts and for whom-ever, citizen, citizen of the world, or mega-citizen, concerned with responsibility (in ethics, law, politics), is to organize this taking account of psychoanalytic reason without reducing the heterogeneity, the leap into the undecidable, the beyond of the possible, which is the object of psychoanalytic knowledge and economy, in particular, of its mythological discourse on the death drive and beyond the principles. It is in this place that is difficult to delimit, the space of undecidability and thus of decision

opened up by the discontinuity of the indirect, that the transformation to come of ethics, law, and politics should *take into account* psychoanalytic knowledge (*which does not mean seeking a program there*) and that, reciprocally, the analytic community should take into account history, notably the history of law, whose recent or ongoing performative mutations have not, with only few exceptions, interested it or called upon its contributions. Everything here, it seems to me, remains to be done, on both sides.

2. At the very point at which he recalls that there is no ethical evaluation in the description of the polarities of the drives and no sense in wanting to rid oneself of the destructive drives, without which life itself would cease, Freud continues, and clearly this is important to him, to find in life, in organic life, in the self-protective economy of organic life, and thus in one of the poles of the polarity, the roots of the whole ethico-political rationality in whose name he proposes to subjugate or restrict the forces of the drives. It is thus by life, by organic life, that he justifies the right to life (therefore implicitly the condemnation not only of war, but of the death penalty—and you know that, by adding the “right to life” to human rights, many international conventions over the last half century have risen up against the cruelty of the death penalty, but in an implicit fashion, without condemning it and above all without putting constraints on sovereign states in this regard). As for the right to life, the fact that “everyone has a right to his own life” (*jeder Mensch ein Recht auf sein eigenes Leben hat*; 213), Freud recognizes explicitly, in his letter to Einstein, that one may say this. But he puts this argument forward with caution. In his view, the question remains open as to whether the “community ought not to have a right to dispose of individual lives” (214), for, he specifies, “every war is not open to condemnation to an equal degree.” He thus retreats to a position that he does not try to justify by right or by an appeal to the ethics of a pure practical reason or a categorical imperative. He retreats without further ado to the factual givens of personal taste or a biological, even idiosyncratic nature, to, in sum, each one’s constitution, in short, to what each is capable of doing, in the economy of what is possible for him or her. “We are pacifists,” says Freud, and this “we” assembles all those who have raised the “dictatorship of reason” above cruel drives, “because we obliged to be for organic reasons [*aus organischen Gründen*].” Our rejection of war and cruelty, he adds, is not only intellectual and emotional. “This is not merely an intellectual and emotional repudiation; we pacifists have a *constitutional* intolerance of war: an idiosyncrasy magnified, as it were, to the highest de-

gree. It seems, indeed, as though the lowering of aesthetic standards in war plays a scarcely smaller part in our rebellion than do its cruelties” (215).

“I trust you will forgive me if what I have said has disappointed you” (*Ich grüsse Sie herzlich und bitte Sie um Verzeihung, wenn mein Ausföhrungen Sie enttäuscht haben*). These are the last words from Freud to Einstein, as he signs off with a cordial salutation.

Asking your forgiveness in turn for having disappointed you and tried your patience, I hasten to my conclusion in a dryly programmatic—telegraphic—fashion. And algebraic—that is, hyperformalized. I do not even know if what I am preparing to expedite in this way defines a task or a horizon for psychoanalysis, at the end of its Stares General. It is for me a question, rather, of what remains to be thought, done, lived, suffered, with or without bliss, but *without alibi*, beyond even what could be called a horizon and a task, thus beyond what remains not only necessary but possible. For what I am going to name at top speed punctures the horizon of a task, that is, exceeds the anticipation of what *must* come about as possible. As possible *duty*. Beyond any theoretical knowledge, and thus any constative, but also beyond any power, in particular the power of any performative institution. What I am going to name defines the *economy* of the possible and of power, of the “I can,” “I may.” It is in fact a matter of economy in all senses of the term, that of the law of the proper (*oikonomia*) and of familial domesticity, that of the sovereign state, of the right of property, of the market, capital, modes of appropriation in general, and, more broadly, of all that Freud calls “psychic economy.” Here I am calling on a beyond of economy, thus of the appropriable and the possible. One may well believe that economy is already defied by the so-called mythological speculation on the death drive and the drive for power, thus on cruelty as well as sovereignty. One may well recognize in the death drive, namely, the beyond of the pleasure and reality principles, an aneconomic appearance. And what is more aneconomic, you may say, than destruction? And cruelty?

In truth, Freud works constantly to reintegrate this aneconomy, thus to take it into account, to bring reason to bear on it, in a calculable fashion, in an economy of the possible. And one cannot blame him for that. He always reduces both knowledge and ethics, even law and politics, to this economy of the possible. Even if one reckons with the detour through the indirect, and even if the indirect supposes a hiatus, according to the most visible tendency of Freud’s interpretation of Freud, it is a question of a

strategy of the possible and thus of economic conditionality: appropriation, the possible as power of the "I can," "I may," the mastery of the performative that still dominates and thus neutralizes (symbolically, in the order of the "symbolic," precisely) the event it produces, the alterity of the event, the very arriving of the *arrivant*.

Well, I will affirm that there is, it is indeed necessary that there be reference to some unconditional, an unconditional without sovereignty, and thus without cruelty, which is no doubt a very difficult thing to think. It is necessary for this economic and symbolic conditionality to constitute itself. The affirmation I am advancing advances itself, in advance, already, and without me, without alibi, as the originary affirmation *from which*, and thus *beyond which* the death drive and the power, cruelty, and sovereignty drives determine themselves as "beyond" the principles. The originary affirmation, which advances itself in advance, lends rather than gives itself. It is not a principle, a principledom, a sovereignty. It comes then from a beyond the beyond, and thus from beyond the economy of the possible. It is attached to a life, certainly, but to a life other than that of the economy of the possible, an im-possible life no doubt, a sur-vival, not symbolizable, but the only one that is *worthy* of being lived, without alibi, once and for all, the only one from which to depart (notice I say from which *to depart*) for a possible thinking of life. Of a life that is still worthy of being lived, once and for all. One cannot justify a pacifism, for example, and the *right* to life, in a radical fashion, by setting out from an *economy of life*, or from what Freud alleges, as we saw, under the names of a biological constitution or an idiosyncrasy. This can only be done on the basis of a *sur-vival* that owes nothing to the alibi of some mytho-theological beyond.

This originary affirmation of beyond the beyond offers itself on the basis of numerous figures of the impossible. I have studied a few of these elsewhere: hospitality, gift, forgiveness—and above all the unpredictable-ity, the "perhaps," the "what if" of the event, the coming, and the coming of the other in general, his or her or its arriving. Their possibility is always announced as the experience of a non-negative im-possible.

The hospitable exposure to the event, to the coming, to the visitation of the unpredictable *arrivant* cannot be made into the horizon of a task, not even for psychoanalysis, although it claims some privilege in the experience of the unpredictable coming of the other, at the arrival of the *arrivant*. But what may, *perhaps*, become a task, tomorrow, for psychoanalysis, for a new psychoanalytic reason, for a new psychoanalytic

Enlightenment, is a revolution that, like all revolutions, will come to terms with the impossible, negotiate with the non-negotiable that has remained non-negotiable, calculate with the unconditional as such, with the inflexible unconditionality of the unconditional.

For this revolution of psychoanalytic reason, I believe I can recognize at the moment the heterogeneous order of *three instances*; I dare not say of three *orders* or three *states*. Orders to be called, assembled, then articulated even along a line of disarticulation—or on the external border of an inarticulation. For the sake of convenience at least, and to put some order in these orders, I will make use of those categories of speech acts to which I have already had recourse more than once up till now, for the sake of convenience: on the one hand, the *constative* (namely, the order of theoretical knowledge or of science as such, the order of neutral description, the taking account of *what is in fact*, as such); on the other hand, the *performative*, which covers, along with the power or the possibility of the "I can," "I may," or the obligation of the "I must" (do what I can), along with the order of the promise, of sworn faith, and thus of the law, the symbolic, all institutionality in general, ethical, juridical, political, and more singularly, here, psychoanalytic responsibility.

Three instances, then, or three states.

1. In the order of the *constative*, that is, of theoretical or descriptive knowledge, which is habitually opposed to the performative, psychoanalysis could in the future, as Freud himself prescribed, take seriously into account the totality of knowledge, in order to keep a rigorous account of it, and in particular of all scientific knowledge that stands on the border of a supposedly pure psychical realm (the organic, the biological, the genetic with their theoretical and therapeutic powers—for let us not forget that our theme will have been evil, suffering, torment, torture), but also the techno-scientific mutations that are inseparable from them, and all that which, in the order of performative prescription, gives rise to a knowledge (for example, the history of law, morality, and politics: as history of what is happening, for example, in our time).

2. In the order of the *performative*, where it is not a matter of knowing and describing, not even prescription, psychoanalysis must take its responsibilities, invent or reinvent its law, its institutions, statutes, norms, etc. I am assuming that this is why you are here. It must do this while keeping in mind its own knowledge, its own most specific and inflexible knowledge (for example, on the subject of cruelty, of the desire to cause or allow

suffering—just for the pleasure of it) but also of what is happening in our time (for example, the transformations of the economic field, of the market, and of what also depends there on techno-science, the social field, the field of the political and the juridical—I am thinking especially of problems of sovereignty, thus of juridical performatives concerning a humanity of man that remains to be rethought, and human rights, and crimes against humanity, and the crime of genocide, and the becoming intra-national of law, and the war of languages, and thus the concept of language itself, whether national or not, etc.). But allow me to insist once again that between the order of *constative* knowledge and *performative* institution, the articulation, however *indirect* it may remain, cannot avoid or economize an absolute hiatus, the hiatus of a heterogeneity that must remain forever open, precisely, like a hiatus, that of a mouth that speaks or a wound that bleeds. The indirection of this indirect thus passes by way of the other, by the indirect other, by an infinite alterity in the indirection, by heteronomy: it marks here an absolute cut. Another concept or another structure of indirection. This discontinuity calls for a leap, this interruption gives a chance, a threatened and threatening chance, wounded or wounding, to responsibility, to what classical humanist philosophers called freedom, or, in a more problematic fashion, the freedom of the subject. This free responsibility will never be deduced from a simple act of knowledge.

3. Here, beyond the most difficult, the im-possible itself. Even where they register or produce some event, the orders of the constative or performative remain orders of power and the possible. They thus belong to the economy of the reappropriable. But an event, the coming of an event worthy of this name, its unpredictable alterity, the arrivance of the ar-rivant, all of this is what exceeds even any power, any performative, any "I can," "I may," and even any "I must," any duty and any debt in a determinable context. Wherever there is law and performative, even if they are heteronomous, there can certainly be event and some other, but they are right away neutralized, in the main, and reappropriated by the performative force or the symbolic order. The unconditional coming of the other, its event without possible anticipation and without horizon, its death or death itself are interruptions that can and must put to rout the two orders of the constative and performative, of knowledge and the symbolic. Perhaps beyond any cruelty:

Along with a few others, you psychoanalysts know this. You could or you should know it better than anyone. The proof is that it was not

enough for you to suppose you know; you knew how to make the leap toward the im-possible, by exposing yourself, with the gracious gift of an almost unconditional hospitality, to the visit of a stranger come to salute you as a sign of gratitude, to be sure, but without assurance of salvation, at your own risk and peril.

The stranger speaks badly of evil; he no longer believes in the sovereign, neither in sovereign good nor sovereign evil.

He only suffers from it, but know that he always hopes to make it known.

Without cruelty, with humble gratitude toward those who will have lent him an ear—and without alibi:

One rarely speaks of alibis, moreover, without some presumption of a crime. Nor of crime without a suspicion of cruelty.

#### Postscript

Without alibi? No "crime without a suspicion of cruelty," really?

Again the question of "Thou shalt not kill." But just who, exactly? Freud seemed to admit, as we heard, the necessity of just wars.

I am wondering today if the last words of this address, namely, a "crime," which would always bring with it a "suspicion of cruelty," can still be in keeping with the first words of an initial hypothesis: that psychoanalysis would be, I said at the outset, the only possible approach, and *without alibi*, to all the virtual translations between the cruelties of a suffering "for the pleasure of it," of the *making-suffer* or the *letting-suffer* in this way, of the *making-oneself* or *letting-oneself suffer*, oneself, one another, the ones and the others, and so forth, according to all the grammatical persons and all the implicit verbal modes—active, passive, middle voice, transitive, intransitive, and so on. Wrongly, in contradiction with these premises, the conclusion one has just read might then seem to accord at least one difference between two crimes, between two transgressions of the "Thou shalt not kill": between, on the one hand, the murder that consists in killing the other, *in him- or herself or in oneself*, and, on the other hand, what is commonly called suicide, or the crime against oneself. This difference can never be erased, to be sure, without ruining the seriousness of a certain principle of responsibility. But I would be tempted to say, too quickly, that this difference is at once infinite and null. One will have to accommodate this as one can, but this would be *perhaps* the ori-

gin as well as the aporetic sense of this cruelty, concerning which we were asking ourselves at the beginning, without, you will have noticed, ever answering the question: What is this, cruelty? Where does it begin? Where does it end? And what if there were, sometimes, cruelty in *not* putting to death? And what if there were love in *wanting* to give death by twos, one to the other, one for the other, simultaneously or not? And what if there were some "it is suffering cruelly in me, in some me" without it being possible to suspect anyone of *exercising* cruelty? Or of *wanting* it? There would then be cruelty without anyone having been cruel. No crime, no possible incrimination or recrimination, no judgment, no right: Cruelty there is. Cruelty there will have been, before any personal figure, before "cruel" will have become an attribute, still less anyone's fault.

One could draw from this a nasty or mean consequence, among many others, one that touches on meanness [*méchanceté*] itself, on the insignificant bad luck [*méchance*] of evil, on the aleatory nature of the encounter, in love or in hatred: if a forgiveness can be asked, according to good common sense, for the *evil* inflicted, for the wrong, the crime, the offense of which the other is, by my doing, the victim, can I not also have to be forgiven the evil I am suffering from? "Forgive me for the hurt I feel, my heart, there where no one wants to hurt me, for hence comes the hurt I do to you, without wanting to, without faith or law, *sans foi ni loi* . . ." *Avoir mal, faire mal, vouloir du mal, en vouloir à quelqu'un* (to feel hurt, to cause hurt, to wish evil, to begrudge someone): I already imagine the sufferings of the translator who would like to respect each of these three words: *d'avoir à faire mal à quelqu'un* (to have to hurt someone), not to mention *vouloir du mal à quelqu'un* (to wish hurt or evil on someone). An apparently impossible translation. The French language seems to me the only one that deals out such a fate or such a welcome to the unheard-of and absolutely singular configuration of these words, these very large words: *avoir, faire, vouloir, and mal*.

—Am I somehow to blame for this impossibility of translation? For the impossibility of translating word for word?

—No, of course not, it's in the language. You inherit it.

—Yes I am, on the contrary; look what I'm doing with this inheritance.

I'm betraying its truth.

—Is the alibi still avoidable? Is it not already too late?

JULY 16, 2000

## Notes

### Provocation

1. *Provocatio* ("provocation, "challenge," etc.) had a juridical and political sense in Imperial Roman law. It was the *appeal*, the right to *make an appeal*, to *call upon*; "ad populum provocatio esto," Cicero wrote, in *De legibus* (3, 6): "that there be the right to appeal to the people." For reasons that will become clear as we proceed, I am insisting right away on what links the *provocatio* to the law (*lex*, between *legere* et *ligare*), thus what also links it, precisely, to what links, to the link and the ligament as well as to reading (*lecture*), legacy, legation, and allegation—thus to the alibi, which is always an allegation before the law.

2. For reasons that, likewise, will continue to be confirmed, we must recall at least two semantic matrices, which are at once well known and often confused: (1) *Lego, avi, atum, legare* means to send, delegate, bequeath (for example, in a will), to charge the other with a mission or responsibility, or unburden oneself of these onto the other, in sum, Legation or delegation can thereby always become an allegation and an alibi. (2) *Lego, legi, lectum, legere* means to pick up, gather, thus collect, bring together, privilege, select, choose, elect, and thus read. See the Greek *legein* (to pick out, gather, choose, speak), which Heidegger associates with the German words *Legen, Lesen, Lesn, Lesen, Erlesen, Auslesen*: "Legen ist Lesen"; "*Hologos, to legein, ist die lesende Legge*" ("Logos," in *Vorträge und Aufsätze* [Pfullingen: Neske, 1951], pp. 201, 220). As for the controversial origin of the word "religion," which puts in play another verb (opinion is divided between *legere* or *ligare*), cf. Emilie Benveniste, *Indo-European Language and Society*, trans. E. Palmer (London: Faber and Faber, 1973), pp. 16 ff., and J. Derrida, "Faith and Knowledge," trans. S. Weber, in Derrida and G. Vattimo, eds. *Religion* (Stanford: Stanford University Press, 1998), pp. 36–78.

3. At the moment I am writing this, the United States (since it's so often a

13. Jacques Derrida, "Economimesis," in Sylviane Agacinski et al., *Miméisis (des articulations)* (Paris: Aubier Flammarion, 1975); trans. Richard Klein, in *Diacritics* 11, no. 2 (1981): 3–25; "Mochlos ou le conflit des facultés," in *Philosophie* 2 (1984); "Mochlos; or, The Conflict of the Faculties," trans. Richard Rand and Amy Wygant, in Richard Rand, ed., *Logomachia: The Conflict of the Faculties* (Lincoln: University of Nebraska Press, 1992), pp. 1–34.
14. "An einem Producte der schönen Kunst muss man sich bewusst werden, dass es Kunst sei, und nicht Natur; aber doch muss die Zweckmässigkeit in der Form desselben von allem Zwange willkürlicher Regeln so frei scheinen, als ob es ein Product der Blossen Natur sei" (*Kritik der Urtheilskraft*, § 45, p. 306; emphasis added).
15. *Ibid.*, § 43; cf. as well Jacques Derrida, "Economimesis," p. 59.
16. See Kant, *Religion Within the Limits of Reason Alone*, trans. Theodore M. Greene and Hoyt H. Hudson (New York: Harper Torchbooks, 1960), pp. 67–68 n.
17. Jeremy Rifkin, *The End of Work: The Decline of the Global Labor Force and the Dawn of the Post-Market Era* (New York: G. P. Putnam's Sons, 1995).
18. V. I. Lenin, *L'Etat et la révolution* (Paris: Editions sociales, 1984), p. 175.
19. Rifkin, *The End of Work*, p. xvii.
20. Le Goff, *Un autre Moyen Age*, pp. 69–70.
21. "Time is a gift of God and thus cannot be sold. The taboo on time that the Middle Ages opposed to the merchant was lifted at the dawn of the Renaissance. The time that belonged only to God is from now on the property of man. . . . From now on what counts is the hour—the new measure of life . . . never lose an hour of time. The cardinal virtue is temperance, to which the new iconography, beginning in the fourteenth century, assigns as attribute the clock—from now on the measure of all things" (*ibid.*, p. 78).
22. See *ibid.*, pp. 889–90, for the hierarchy of crafts. "This unity, however, of the world of work, as over against the world of prayer and the world of war, if it ever existed, did not last very long" (*ibid.*, p. 102).
23. These motifs have been at the center of my publications and seminars for the last fifteen years.
24. This "as if" as we see, is no longer simply philosophical. It is thus, for all these reasons, not that of *The Philosophy of the As If* (*Die Philosophie des Als Ob*) by Vaihinger. Nor is it the one to which Freud alludes, when he makes reference to Vaihinger's work, at the end of the third chapter of *The Future of an Illusion*. (The reference is to Hans Vaihinger, *Die Philosophie des Als Ob: System der theoretischen, praktischen und religiösen Fiktionen der Menschheit auf Grund eines idealistischen Positivismus* [Berlin: Reuther & Reichard, 1913].—Trans.)

### Psychoanalysis Searches

1. The *Comité de Salut Public*, formed in April 1793, was the main instrument of the Terror, authorizing summary arrests, trials, and executions of "enemies of the state." The *salut* in its title also translates as "salvation."—Trans.
2. Derrida has frequently drawn attention to the connotative differences between the English term "globalization" and the French term *mondialisation*. In particular, the latter's reference to the world (*monde*) rather than to the globe retains ties to the originally European vision of one world under one God, and above all the Christian God. Hence his neologizing of *mondialisation* into *mondialinisation*, for example here, p. 267. See also, in this volume, "The University Without Condition" and elsewhere, "Faith and Knowledge: The Two Sources of 'Religion' at the Limits of Reason Alone," in *Religion*, edited by Jacques Derrida and Gianni Vattimo (Stanford: Stanford University Press, 1996), 1–78.—Trans.
3. A reference to the historic main amphitheater of the Sorbonne, where the sessions of the States General of Psychoanalysis took place.—Trans.
4. Albert Einstein and Sigmund Freud, "Why War," in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, vol. 22 (London: Hogarth Press, 1964), pp. 199–200. Page references for all other citations from this work will appear in parentheses in the text.
5. Derrida points out that the term here translated as "cruel," *unheißelste*, is rendered in French by *fineste*: harmful, disastrous, baneful.—Trans.
6. See Elisabeth Roudinesco, "Freud et le régicide: Eléments d'une réflexion," in *Revue Germanique Internationale* 14 (2000).
7. Derrida seems to be referring to a passage in Jones's biography that endeavors to explain Freud's aversion to the United States after his trip there. "Freud himself attributed his dislike of America to a lasting intestinal trouble brought on, so he very unconvincingly asserted, by American cooking, so different from what he was accustomed to" (Ernest Jones, *The Life and Work of Sigmund Freud* [New York: Basic Books, 1955], vol. 2, pp. 59–60).—Trans.
8. *Ibid.*, p. 40.
9. *The Freud/Jung Letters: The Correspondence between Sigmund Freud and C. G. Jung*, ed. William McGuire (Princeton: Princeton University Press, 1974), letter dated 17 January 1909, pp. 196–97.
10. With the exception of a few words that Freud authorized Theodor Reik to sign in his name, in 1926, and in response to a questionnaire on punishment and the death penalty. At the end of these very ambiguous three pages, which ought to be carefully interrogated as to their logic, signature, and status (I will try to do that elsewhere). Reik concludes, in Freud's name, as follows: "I profess to be an opponent of murder, whether committed by the individual as a crime or by the state in its retaliation" ("Postscript: Freud's View on Capital Punishment,"

in Theodor Reik, *The Compulsion to Confess: On the Psychoanalysis of Crime and Punishment* (New York: Farrar, Strauss and Cudahy, 1959), p. 474).

11. Jones, *Freud*, vol. 2, p. 153.
12. A date from the French Revolutionary calendar, which was inaugurated in 1792 (year I) and abandoned under Napoleon in 1806.—Trans.
13. Sigmund Freud, *The Future of an Illusion*, in *The Standard Edition of the Complete Psychological Works of Sigmund Freud*, vol. 21, p. 19.
14. On this term, see above, note 2.—Trans.
15. René Major, *De l'éllection* (Paris: Aubier, 1986), pp. 88–89; Freud's letter is dated December 28, 1914.
16. Major, pp. 90–91.

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